

No. 07-1732

05-74085 2

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

DENNIS ELLIOTT,)
Petitioner-Appellant,)
v.)
KENNETH ROMANOWSKI, Warden,)
Respondent-Appellee.)

ORDER

FILED
May 07, 2008
LEONARD GREEN, Clerk

F I L E D
MAY 12 2008
CLERK'S OFFICE
DETROIT

Before: BATCHELDER, SUTTON, and FRIEDMAN, Circuit Judges.*

Dennis Elliott has filed a petition for rehearing of this court's order entered January 22, 2008, which denied his motion for a certificate of appealability to appeal a district court dismissal of his petition for a writ of habeas corpus filed under 28 U.S.C. § 2254.

Upon consideration, the court has concluded that it did not act under any misapprehension of law or fact in its order entered January 28, 2008. *See* Fed. R. App. P. 40(a). Accordingly, the petition for rehearing is denied.

ENTERED BY ORDER OF THE COURT



Leonard Green
Clerk

*The Honorable Daniel M. Friedman, Circuit Judge of the United States Court of Appeals for the Federal Circuit, sitting by designation.

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

Leonard Green
Clerk

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Dennis Elliott
Macomb Correctional Facility
34625 26 Mile Road
New Haven, MI 48048

Re: Case No. 07-1732, *Elliott v. Romanowski*
Originating Case No. : 05-74085

Dear Sir or Madam,

The Court issued the enclosed (Order/Opinion) today in this case.

Sincerely yours,

s/Roy G. Ford
Case Manager
Direct Dial No. 513-564-7016
Fax No. 513-564-7096

cc: Mr. Brian O. Neill
Honorable Nancy G. Edmunds
Mr. David J. Weaver

Enclosure